

EXAMINER 'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lary Moskowitz on 09-24-08.

The application has been amended as follows:

In the claims:

Claims 42 and 50 are canceled.

Claim 1, line 6, change "power consumption" to --- minimum power consumption ---.

Claim 7, line 8, change "power consumption" to --- minimum power consumption ---.

Claim 14, line 11, change "power consumption" to --- minimum power consumption ---.

Claim 19, line 10, change "power consumption" to --- minimum power consumption ---.

Claim 22, line 9, change "power consumption" to --- minimum power consumption ---.

Claim 27, line 7, change "power consumption" to --- minimum power consumption ---.

Claim 32, line 14, change "power consumption" to --- minimum power consumption ---.

Claim 34, line 12, change "power consumption" to --- minimum power consumption ---.

Claim 36, line 13, change "power consumption" to --- minimum power consumption ---.

Claim 39, line 13, change "power consumption" to --- minimum power consumption ---.

Claim 43, line 1, change "Computer-readable media" to --- Computer-storage medium ---.

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Claim 43, line 8, change “power consumption” to --- minimum power consumption ---.

Claim 44, line1, change “Computer-readable media” to --- Computer-storage medium ---.

Claim 45, line1, change “Computer-readable media” to --- Computer-storage medium ---.

Claim 46, line1, change “Computer-readable media” to --- Computer-storage medium ---.

Claim 47, line1, change “Computer-readable media” to --- Computer-storage medium ---.

Claim 48, line1, change “Computer-readable media” to --- Computer-storage medium ---.

Claim 49, line1, change “Computer-readable media” to --- Computer-storage medium ---.

Reason for Allowance

2. Regarding claims 1-7, the prior art fails to teach or suggest an apparatus for use in a communication system comprising a control system for controlling receive diversity and minimum power consumption of the receiver by selecting a number of the plurality of receiver chains based on the determined channel condition, in combination with other limitations, as specified in the independent claims 1 and 7.

Regarding claims 14-31, the prior art fails to teach or suggest a method in a communication system for decoding a quick paging channel (QPCH) comprising a step of determining receive diversity at a receiver of the mobile station by determining a number of a plurality of receiver chains of the receiver for receive diversity based on the determined channel condition; wherein minimum power consumption of the receiver is controlled based on the receive diversity, in combination with other limitations, as specified in the independent claims 14, 19, 22 and 27.

Regarding claims 32-41, the prior art fails to teach or suggest a method for decoding a quick paging channel (QPCH) in a communication system comprising a step of determining a first data bit of said QPCH received at a receiver, including a plurality of receiver chains for receive diversity, in a mobile station in said communication system; wherein minimum power consumption of said receiver is controlled based on said receive diversity, in combination with other limitations, as specified in the independent claims 32, 34, 38 and 41.

Regarding claims 43-49, the prior art fails to teach or suggest a computer-storage medium media embodying a method for determining receive diversity in a receiver of a communication system, the method comprising a step of selecting a number of said plurality of receiver chains used for processing in the receiver based on said determined channel condition for controlling receive diversity and minimum power consumption of said receiver, in combination with other limitations, as specified in the independent claim 43.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Thursday from 7:30 am to 6:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel, can be reached on (571) 272-2988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

/Duc C Ho/

Primary Examiner, Art Unit 2619

09-24-08